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FACSIMILE TRANSMISSION

March 31, 2006

TO (FIRM): Examiner Dhirajlal Nakarani
Group Art Unit: 1773
USPTO

FAX NO: (571)-273-8300 TELEPHONE:

FROM: D.J. Stockley

RE: U.S. Serial No. 10/760,483
OUR DOCKET: 1186.1031

CERTIFICATE OF FACSIMILE TRANSMISSION


I hereby certify that the below-listed correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA on March 31, 2006.

COMMUNICATION TO EXAMINER CLARIFYING THAT MARKED BOX INDICATING SUBMISSION OF 1449 FORM IN IDS FILED MARCH 19, 2004 WAS IN ERROR (1 PG.)

AND

SUBMISSION OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT INCLUDING INSTRUCTIONS TO CHARGE \$180.00 TO DEPOSIT ACCOUNT (4 PGS.) WITH FORM 1(G) (1 PG.) AND COPY OF TRANSLATION OF PCT INTERNATIONAL PRELIMINARY EXAMINATION REPORT (3 PGS.)

By:


Darleen J. Stockley

Date: March 31, 2006

NO. OF PAGES (Including this Cover Sheet) 10

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Attorney Docket No. 1186.1031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hiroshi SUZUKI et al.

Confirmation No.: 3242

Application No.: 10/760,483

Group Art Unit: 1773

Filed: January 21, 2004

Examiner: Nakarani, Dhirajlal S.

For: VAPOR-DEPOSITED FILM

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MAR 31 2006COMMUNICATION TO THE EXAMINERCommissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In our review of the file, we have become aware that we marked, in error, that a Form 1449 was filed with the Information Disclosure Statement filed on March 19, 2004. We did not include a Form 1449 with the March 19, 2004 IDS filing.

Enclosed herewith is a Supplemental IDS reciting the Translation of PCT International Preliminary Examination Report for International Application No. PCT/JP02/07432, International Filing Date 23 July 2002 (23.07.02) (3 pgs.) on Form 1(g). Please initial Form 1(g) of the Supplemental IDS filing to indicate that the Translation recited above has been considered.

Respectfully submitted,

STAAS & HALSEY LLP

Date: March 31, 2006By: Darleen J. Stockley
Darleen J. Stockley
Registration No. 34,2571201 New York Ave., NW, Suite 700
Washington, D.C. 20005
(202) 434-1500

Attorney Docket No. 1186.1031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hiroshi SUZUKI et al.

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Examiner: Nakarani, Dhirajlal S.

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RECEIVED
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MAR 31 2006SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTCommissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☐ Form PTO-1449.
- 1b. ☐ Copies of IDS citations.
- 1c. ☒ A copy of a Translation of International Preliminary Examination Report from a counterpart foreign application.
- 1d. ☐ English language translation (complete or relevant portion(s)) attached to each non-English language publication.
- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. ☐ List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☒ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

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Serial No.: 10/760,483

3. ☒ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND
- (Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)*
- 3a. ☐ The §1.97(e) Statement in Item 5 below is applicable; OR
- 3b. ☒ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.
- ☒ to be charged to Deposit Account No. 19-3935.
4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND
- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
- 4b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.
- ☐ to be charged to Deposit Account No. 19-3935.
5. ☐ Statement under § 1.97(e) *(applicable if Item 3a or Item 4a is checked)*
- (Check either Item 5a or 5b)*
- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), It is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).
- (Check appropriate Items 6a and/or 6b)*
- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
- 6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

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Serial No.: 10/760,483

7. ☐ This is a continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A continuation/divisional application under 37 CFR § 1.53(d) or a Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.
8. ☒ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☒ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on March 19, 2004. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on March 19, 2004.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed ____.
9. ☐ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☐ satisfied because all non-English language publications were cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed.)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

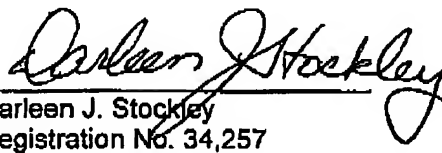
Serial No.: 10/760,483

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: March 31, 2006
1201 New York Ave., N.W., Suite 700
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By: 
Darleen J. Stockley
Registration No. 34,257

ATTACHMENT 1(g)

LIST OF ADDITIONAL SUBMITTED DOCUMENTS	ATTORNEY DOCKET NO.	APPLICATION NO.
	1186.1031	10/760,483
	FIRST NAMED INVENTOR	
	Hiroshi SUZUKI et al.	
	FILING DATE	GROUP/ART UNIT
	January 21, 2004	1773

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application. Pursuant to 37 CFR 1.98(a)(2)(iii), a copy of any identified copending application(s) is provided.

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialing same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	AC							
	AD							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

TRANSLATION	
YES	NO

	AE	Translation of PCT International Preliminary Examination Report for International Application No. PCT/JP02/07432, International Filing Date 23 July 2002 (23.07.02) (3 pgs.)	X	
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EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	